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EV434565665US

WALLMARJAMA & BILINSKI LLP

Barbara A. Saltsman



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Robert M. Hussey et al.

Application No.: 09/766,922

Filed: January 22, 2001

For: Optical Reader Having Reduced

Parameter Determination Delay

Examiner: Jerome Grant II

Art Unit: 2626

INFORMATION DISCLOSURE

STATEMENT UNDER 37 CFR §1.97 and

§1.98

RECEIVED OCT 2 5 2004

Attorney Docket No.: 283-280

Technology Center 2600

Mail Stop: Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The references cited on attached the form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the cited references are enclosed.

The information contained herein is presented so that the U.S. Patent and Trademark Office may, in the first instance, determine any materiality thereof to the claimed invention. See 37 C.F.R. §1.104(a) and §1.105 concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that these references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

As provided for by 37 C.F.R. §1.97(h), no inference should be made that the information and references cited are material to patentability. Also, no inference should be made that

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Application No.: 09/766,922

Page 2

a reference is prior art merely because it is included in this statement. Under 37 C.F.R. §1.97(g), the submission of an Information Disclosure Statement should not be considered as representation that a search has been made.

Applicants believe that a fee of \$180.00 is required for submission of this statement. Enclosed is a check in the amount of \$180.00. Please deduct any additional fees from, or credit any overpayment to Deposit Account 50-0289.

Respectfully submitted,

George S. Blasiak Reg. No. 37,283

Wall Marjama & Bilinski LLP

Customer No. 20874 Telephone: (315) 425-9000

Facsimile: (315) 425-9114

Date: October 19, 2004

GSB/bs

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known			
Application Number	09/766,922		
Filing Date	January 22, 2001		
First Named Inventor	Robert M. Hussey		
Art Unit	2626		
Examiner Name	Jerome Grant II OCT 2, 5 2004		
Attorney Docket Number	283-280		

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			U.S. PATENT D	OCUMENTS	
		Document Number			
Examiner	Cite No.1	Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US2002/0125317A1	09/12/2002	Hussey et al.	n_
	AB	US2003/0062418A1	04/03/2003	Barber et al.	RECEIVED
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Jerome Grant II				
283-280 OCT 2 5 2004				

Technology

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		Document Number				
Examiner Cite No.1	Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
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	FOREIGN PATENT DOCUMENTS						
Examiner Cite	Cite	Foreign Patent Document		Publication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant	
Initials*	No. ¹	Country Code ³	Number ⁴ Kind Code ⁵ (if know	MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	
	AC	wo	02/063543 A2	08/15/2002	Hand Held Products, Inc.		
	AD	wo	02/063543 A3	08/15/2002	Hand Held Products, Inc.		
	AE	JP	2002/5634 13		Hand Held Products, Inc.	JP Patent Application Corresponding to International Application No. PCT/US02/01469. (WO02/063543 document translated into Japanese from English.)	
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Examiner Name	Jerome Grant II OCT 2 5 2007
Attorney Docket Number	283-280

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NON PATENT LITERATURE DOCUMENTS					
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²		
	AF	EP Application No. 02 723 063.0-2210, Communication Pursuant to Article 96(2) EPC dated December 11, 2003.			
	AG	EP Application No. 02 723 063.0-2210, Communication Pursuant to Article 96(2) and Rule 51(2) EPC dated April 27, 2004.			
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